



**CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
Nov. 6, 2014**

MEETING MINUTES

Roll Call

A regular meeting of the City Council was called to order by City Council William H. Dwight at 7:20 p.m. On roll call, nine (9) Councilors were present:

At-Large Councilor Jesse M. Adams
At-Large Councilor William H. Dwight
Ward 1 Councilor Maureen T. Carney
Ward 2 Councilor Paul D. Spector
Ward 3 Councilor Ryan R. O'Donnell
Ward 4 Councilor Gina-Louise Sciarra
Ward 5 Councilor David A. Murphy
Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein

Public Hearings

Councilor Dwight made the announcement that a Public Hearing regarding a Pole Petition for National Grid will take place as follows:

*Pole Petition for a location on Maple Street, Florence
November 20, 2014, 7:00 pm
Council Chambers, 212 Main Street
Northampton, MA*

**Communication
From the
Mayor**

- *Mayor Narkewicz announced that November would be Pancreatic Awareness Month and read a Proclamation as follows:*

PANCREATIC CANCER AWARENESS MONTH

NOVEMBER 2014

- WHEREAS, In 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease making it the fourth leading cause of cancer death in the United States; and
- WHEREAS, When symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and
- WHEREAS, Approximately 920 deaths will occur in Massachusetts in 2014; and
- WHEREAS, *The Recalcitrant Cancer Research Act* was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and
- WHEREAS, Federal funding for medical research is critical to job protection and creation in Massachusetts; and
- WHEREAS, The Pancreatic Action Network is the national organization serving the pancreatic cancer community in Northampton and nationwide through a comprehensive approach that includes public policy, research funding, patient services and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and
- WHEREAS, The Pancreatic Cancer Action Network and its affiliates in Northampton support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and so

NOW, THEREFORE, I, David J. Narkewicz, Mayor of the City of Northampton, do hereby proclaim

PANCREATIC CANCER AWARENESS MONTH

	<p>NOVEMBER 2014</p> <p>in the City of Northampton and realize that the good health and well-being of the residents of Northampton are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.</p> <ul style="list-style-type: none"> • <i>The Mayor announced that a Public Forum would take place Wednesday, November 12, 2014 at the Northampton Senior Center to gather input on Parking in Northampton. The public is invited to come to share their experience, provide feedback and to offer recommendations.</i>
<p><u>Proclamations, Resolutions, Recognitions and One-Minute Announcements of Events</u></p>	<ul style="list-style-type: none"> • <i>Councilor Dwight recognized former Council Clerk, Mary Midura for her years of service to the Council. Ms. Midura received a plaque in honor of her dedication to the Council.</i> • <i>Councilor Dwight announced that the Northampton Tax Classification Hearing has been rescheduled for November 20, 2014 during the City Council Meeting in Council Chambers. 212 Main Street.</i> • <i>Councilor LaBarge announced that Tuesday, Nov. 11th will be the Veteran's Parade in downtown Northampton. Parade marchers will be lining up in Lampron Park beginning @ 10am; the parade will begin at 11am.</i>
<p><u>Presentations</u></p>	<ul style="list-style-type: none"> • <i>Effects of Lighting on the Deterrence of Crime & Light Pollution (Presented by Dr. James Lowenthal)</i> <p><i>Dr. Lowenthal supports the Ordinance regarding site lighting that is scheduled for a second reading tonight. The presentation focused on the types of lighting that is best for cities that minimize light pollution while still providing adequate visibility. The health effects of light pollution were discussed, as well as the impact light pollution had on animal life. Dr. Lowenthal suggested that there has been adequate research conducted where the use of more lighting does not always mean reduced crime rates. His presentation offered examples of other cities where there was too much light pollution contrasted by other cities that had successful light levels.</i></p> <ul style="list-style-type: none"> • <i>Elected Official Compensation Advisory Board Final Report Presented by Todd Thompson, Committee Chair</i> <p><i>Mr. Thompson presented the report of the committee and discussed how the project was initiated. The Committee recognized that the subject of pay raises of elected officials was a sensitive issue and the Committee felt strongly that they needed to do comprehensive research in order to make an informed decision. It was a lengthy process which resulted in the Committee making its recommendations after studying best practices in eight comparable cities in surrounding area.</i></p>
<p><u>Report Presented and Accepted</u></p>	<p><i>Councilor Murphy moved to accept the report of the Elected Official Compensation Advisory Board; Councilor Carney seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.</i></p>
<p><u>Licenses & Petitions</u></p>	<ul style="list-style-type: none"> • <i>None</i>
<p><u>Approval of Meeting Minutes</u></p>	<p><i>The Council reviewed meeting minutes as follows:</i></p> <ul style="list-style-type: none"> • <i>City Council Minutes of October 16, 2014</i> • <i>Committee on Social Services, Veterans, Culture and Recreation Minutes of July 21, 2014</i>

<u>Minutes Accepted</u>	<ul style="list-style-type: none">• Finance Committee Minutes of Oct. 2 and Oct. 16, 2014• Public Hearing Minutes of Sept. 15, 2014 regarding the Resolution on Vibrant Sidewalks• Committee on Rules, Orders, Appointments and Ordinances Minutes for July 14, 2014 <p><i>Councilor Adams moved to approve the Minutes above as a group; Councilor Sciarra seconded the motion. The motion was approved on a Voice Vote of 9 Yes, 0 No.</i></p>
<u>Reports of Committees, Appointments, and Elections</u>	<ul style="list-style-type: none">• Appointments to Boards <u>Board of Almoners:</u><ul style="list-style-type: none">• Andrea Murray• Susan Stubbs• Patricia Ahearn• Joseph Misterka• Michael Shaughnessy <p><i>Councilor LaBarge moved to refer the appointments above as a group; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 9 Yes, 0 No.</i></p>
<u>Appointments Referred</u>	<ul style="list-style-type: none">• Trust fund Committee:<ul style="list-style-type: none">• Bill Williams• David Hershops• Gerald Budgar <p><i>Councilor LaBarge moved to refer the appointments above as a group; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 9 Yes, 0 No</i></p>
<u>Appointments Referred</u>	
<u>Recess for Finance Committee</u>	<p>At 8:45 p.m., the Council broke for the Finance Committee Meeting. The Council reconvened directly following Finance, at 8:55 p.m.</p>
<u>Financial Orders</u>	<p><i>Councilor Murphy moved to approve the following Orders in first readings; Councilor Carney seconded the motion.</i></p> <p>14.273 Petition to Accept Cosmian Avenue as a Public Way (<i>1st Reading</i>) 14.274 Petition to Accept Depot Avenue as a Public Way (<i>1st Reading</i>) 14.275 Petition to Accept Edgewood Terrace as a Public Way (<i>1st Reading</i>) 14.276 Petition to Accept Franklin Court as a Public Way (<i>1st Reading</i>) 14.277 Petition to Accept Glendale Avenue as a Public Way (<i>1st Reading</i>) 14.278 Petition to Accept Greeley Avenue as a Public Way (<i>1st Reading</i>) 14.279 Petition to Accept King Avenue as a Public Way (<i>1st Reading</i>) 14.280 Petition to Accept Service Center as a Public Way (<i>1st Reading</i>)</p> <p><i>The Orders were approved in first reading on a roll call vote of 9 Yes, 0 No.</i></p> <p><u>See Minutes of November 20, 2014 for second reading.</u></p> <p>14.285 F.O. for Benches In Florence expended from the Comm. on Disabilities Fund (<i>1st Reading</i>)</p> <p><i>Councilor LaBarge moved to approve the Financial Order in first reading;</i></p>

Councilor Carney seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.

See Minutes of November 20, 2014 for second reading.

14.263 F.O. for Watershed Land Purchase (*Request 2 Readings*)

Councilor O'Donnell moved to approve the Financial Order in first reading; Councilor Sciarra seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.

Councilor LaBarge moved to suspend Rule 14 to allow for a second reading; Councilor Adams seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Carney moved to approve the Financial Order in second reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed in second reading:

City of Northampton
MASSACHUSETTS

In City Council, November 6, 2014

Upon the recommendation of the Mayor and the Department of Public Works Ordered, that

WHEREAS, The City of Northampton owns a surface drinking water supply in the Town of Williamsburg surrounded by watershed land owned by both the City and private property owners, and;

WHEREAS, It is in the interest of the City to acquire privately held parcels within this watershed as they become available for sale to protect its drinking water supply, and;

WHEREAS, A certain parcel of land within the watershed is available for acquisition, and it is in the interests of the City to acquire the parcel for watershed protection.

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, the fee interest in a certain parcel of land containing 51.436 acres, more or less, located on Rocks Road, Hatfield, MA, and shown as Parcel 1 on a plan entitled "Plan of Land in Hatfield, Massachusetts Surveyed for the City of Northampton," dated August 26, 2014, by Heritage Surveys. This acquisition is for the purpose of conservation and watershed protection and the parcel shall be held in the custody and control of the Department of Public Works. The consideration for this acquisition shall not exceed Sixty Thousand Dollars (\$60,000.00). Further, that no appropriation is necessary for the acquisition authorized hereunder inasmuch as sufficient funds for this acquisition have been appropriated in Water Enterprise 61523-581000-11 - Land.

Enrolled

Rules suspended, passed two readings and enrolled.

ORDERS AND
ORDINANCES

Councilor Murphy moved to approve the following orders in first reading; Councilor Carney seconded the motion.

Mayor David J. Narkewicz's Administrative Orders for City Government
(*1st Reading*)

14.255 Order: Establish Conservation Commission (*1st Reading*)

14.256 Order: Establish Historical Commission (*1st Reading*)

14.257 Order: Establish Historic District Commission (*1st Reading*)

14.258 Order: Establish Municipal Affordable Housing Trust Fund (*1st Reading*)

The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

Councilor Murphy moved to refer the following Ordinances to the Committee on Rules, Orders, Appointments and Ordinances; Councilor Klein seconded the motion.

- 14.253 Ordinance: Code Change: Community Preservation Committee (*Refer to Committee on Rules, Orders, Appointments and Ordinances*)
- 14.254 Ordinance: Code Changes To Agricultural Commission Sections (*Refer to Committee on Rules, Orders, Appointments and Ordinances*)
- 14.259 Ordinance: Add Administrative Order Chapters To Code (*Refer to Committee on Rules, Orders, Appointments and Ordinances*)

The motion was approved on a Voice Vote of 9 Yes, 0 No.

14.218 Ordinance: §350-12.6 Site Lighting Standard
(*Positive Recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; 2nd Reading*)

Councilor Carney moved to approve the Ordinance in Second Reading; Councilor LaBarge seconded the motion.

Councilor Carney moved to recognize Police Chief Russell Sienkiewicz; Councilor O'Donnell seconded the motion.

Chief Sienkiewicz provided that lighting has 5 primary prevention values: deterrence, detection, surveillance, fear reduction and liability reduction. The Chief does not support section of the Ordinance that proposes to limit lighting, especially in areas where crime might not otherwise be detected. He does, however, recognize light pollution and energy savings issues and supports the value of well designed downward only lighting.

Councilor Carney moved to recognize Carolyn Misch of the Office of Planning and Sustainability; Councilor Adams seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.

Ms. Misch explained that the trigger for having to meet the revised standard would be if a business were to change lighting at their business location, including new light fixtures. The business would then need to comply with the revised requirements.

Councilor Klein suggested that input from stakeholders, such as business owners, would be appropriate.

Councilor O'Donnell moved to amend the Ordinance to remove the section pertaining to time limits for lighting; Councilor Carney seconded the motion. The Ordinance was approved, with amendments on a Roll Call Vote of 9 Yes, 0 No.

The Following Ordinance passed in second reading:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Fourteen

UPON THE RECOMMENDATION OF THE Office of Planning & Sustainability

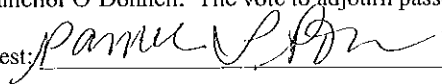
ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350-12.2-(6) of said code; providing for clarification for lighting standard review/assessment.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 350-12.2-6 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

<u>Ordained and Enrolled</u>	12.2-6 {add the following two paragraphs below the site lighting output standards by district table}
	The Building Commissioner shall determine if light levels are being met. Based on this assessment, the property owner shall replace or modify fixtures to achieve compliance.
	<u>Rules suspended, passed two readings, ordained and enrolled.</u>
	<p><i>Councilor Murphy moved to refer the following Ordinances to the Committee on Rules, Orders, Appointments and Ordinances; Councilor O'Donnell seconded the motion.</i></p> <p>14.281 Ordinance: §312-102 Schedule I: Parking Prohibited All Times - Pleasant St. <i>(Positive recommendation from TPC; Refer to Comm. on Rules, Order, Appointments and Ordinances)</i></p> <p>14.282 § Ordinance 312-109 Pleasant St. Schedule VIII: On Street Parking Meter Zones <i>(Positive recommendation from TPC; Refer to Comm. on Rules, Orders, Appointments and Ordinances)</i></p>
<u>Referred</u>	<i>The motion to refer was approved on a Voice Vote of 9 Yes, 0 No.</i>
	<p><i>Councilor Murphy moved to refer the following Ordinances to the Committee on Rules, Orders, Appointments and Ordinances; Councilor Carney seconded the motion.</i></p> <p>Ordinances in support of Mayor Narkewicz's Administrative Order <i>(Refer to Committee on Rules, Orders, Appointments and Ordinances)</i></p> <p>Ch 40- List of enforcing officers and penalties for noncriminal disposition Ch 290 -- Subdivision of land Ch 229 -- Parades and Processions Ch 149 § 1-4 -- Numbering of Buildings Ch 337 - Wetlands Protection Ch 256 - Article I -- Sewer Assessments, Billing and General Regulations Ch 264 -- Signs Ch 278 Storm Drains Ch 280 -- Stormwater and Flood Control Utility Ch 281-- Stormwater Management Ch 285 -- Streets, Sidewalks, & Public Properth Ch 303-5 Temporary Events Ch 312 -- sec 14 Traffic Signs & Signals Ch 316 -- Horse-Drawn Carriages Ch 325 -- Water Ch 272 -- Solid Waste</p>
<u>Referred</u>	<i>The motion to refer was approved on a Voice Vote of 9 Yes, 0 No.</i>
<u>Updates from Council President and Committee Chairs</u>	None
<u>Information Requests (Charter Provision 2-7)</u>	None
<u>NEW BUSINESS.</u>	<u>- Reserved for topics that the Chair did not reasonably anticipate would be discussed-- None</u>

At 9:20 p.m., a motion to adjourn was made by Councilor Carney and seconded by Councilor O'Donnell. The vote to adjourn passed unanimously (9-0).

Attest: , Clerk of Council

Roll Call Record of the Northampton City Council

Nov. 6, 2014 7:20pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrra	Councilor Paul D. Spector	Total
Roll Called by Pamela L. Powers, Clerk of the City Council		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present 0 YES
<p><i>Councilor Murphy moved to approve the following Orders in first readings; Councilor Carney seconded the motion.</i></p> <p>14.273 Petition to Accept Cosmian Avenue as a Public Way (1st Reading)</p> <p>14.274 Petition to Accept Depot Avenue as a Public Way (1st Reading)</p> <p>14.275 Petition to Accept Edgewood Terrace as a Public Way (1st Reading)</p> <p>14.276 Petition to Accept Franklin Court as a Public Way (1st Reading)</p> <p>14.277 Petition to Accept Glendale Avenue as a Public Way (1st Reading)</p> <p>14.278 Petition to Accept Greeley Avenue as a Public Way (1st Reading)</p> <p>14.279 Petition to Accept King Avenue as a Public Way (1st Reading)</p> <p>14.280 Petition to Accept Service Center as a Public Way (1st Reading)</p>											
<p><i>The Orders were approved in first reading on a Roll Call vote of 9 Yes, 0 No.</i></p>											
		YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO

Roll Call Record of the Northampton City Council

Nov. 6, 2014 7:20pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrra	Councilor Paul D. Spector	Total
14,285 F.O. for Benches In Florence expended from the Comm. on Disabilities Fund (1st Reading) Councilor LaBarge moved to approve the Financial Order in first reading; Councilor Carney seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.		YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 No
14,263 F.O. for Watershed Land Purchase (Request 2 Readings) Councilor O'Donnell moved to approve the Financial Order in first reading; Councilor Sciarrra seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No. Councilor LaBarge moved to suspend Rule 14 to allow for a second reading; Councilor Adams seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No. Councilor Carney moved to approve the Financial Order in second reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.		YES	YES	YES	YES	YES	YES	YES	YES	YES	1 st Reading 9 Yes 0 No Suspend Rule 14 Voice Vote 9 Yes, 0 No Second reading: 9 Yes, 0 No

Roll Call Record of the Northampton City Council

Nov. 6, 2014 7:20pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina- Louise Sciarrà	Councilor Paul D. Spector	Total
14.218 Ordinance: §350-12.6 Site Lighting Standard <i>(Positive Recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; 2nd Reading)</i>		YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes, 0 No
<i>Councilor Murphy moved to approve the following orders in first reading; Councilor Carney seconded the motion.</i> Mayor David J. Narkewicz's Administrative Orders for City Government <i>(1st Reading)</i> 14.255 Order: Establish Conservation Commission <i>(1st Reading)</i> 14.256 Order: Establish Historical Commission <i>(1st Reading)</i> 14.257 Order: Establish Historic District Commission <i>(1st Reading)</i> 14.258 Order: Establish Municipal Affordable Housing Trust Fund <i>(1st Reading)</i> <i>The motion was approved on a Roll Call Vote of 9 Yes, 0 No.</i>		YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes, 0 No

At 9:20 p.m., a motion to adjourn was made by Councilor Carney and seconded by Councilor O'Donnell. The vote to adjourn passed unanimously (9-0).